

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

  X   Resolution or Ordinance (Blue)   X   *Waiver of First Requested*  
  X   Recommendations of Boards, Commissions & Committees (Green)  
\_\_\_\_\_ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: June 29, 2017 (B of T) Date: July 20, 2017

TITLE: PC 17-22; 1 E. St. Charles Road

SUBMITTED BY: Department of Community Development ~~W~~

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, St. Sebastian Oil Group, requests that the Village grant a variance from Section 153.506(A)(6)(c) to allow for a freestanding sign of seventeen feet (17') in height, where six feet (6') is allowed on the subject property located within the B5 Central Business District.

The Plan Commission recommended approval of this petition by a vote of 5-0.

The petitioner requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_

Finance Director X \_\_\_\_\_ Date \_\_\_\_\_

Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development *WJH*

**MEETING DATE:** July 20, 2017

**SUBJECT:** **PC 17-22; 1 E. St. Charles Road**

Please find the following items for Village Board consideration as part of the July 20, 2017 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 17-22;
3. An Ordinance granting approval of a variance from Section 153.506 (A)(6)(c) to allow for a freestanding sign of seventeen feet (17') in height, where six feet (6') is allowed on the subject property located within the B5 Central Business District.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the July 20, 2017 Board of Trustees agenda with a waiver of first reading as requested by the petitioner.



## VILLAGE OF LOMBARD

255 E. Wilson Ave.  
Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org

July 20, 2017

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

### Trustees

Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Bill T. Johnston, Dist. 4  
Robyn Pike, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
Scott R. Niehaus

*"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. Keith T. Giagnorio,  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: PC 17-22, 1 E. St. Charles Road**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, St. Sebastian Oil Group, requests that the Village grant a variance from Section 153.506(A)(6)(c) to allow for a freestanding sign of seventeen feet (17') in height, where six feet (6') is allowed on the subject property located within the B5 Central Business District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on June 19, 2017. Sworn in to present the petition were: Jennifer Ganser, Assistant Director; William Sheehan and Tim Bingham, representing the petitioner.

Acting Chairperson Flint read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

William Sheehan presented on behalf of the petitioner and said he is requesting a freestanding sign at 1 E St. Charles Road. The sign would be consistent with other gas station signs such as the Mobil at 610 S. Main Street. He said they are trying to make the gas station look presentable. The current sign is districting and hard to read.

Acting Chairperson Flint asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted into the public record in its entirety. The petitioner is requesting approval for a freestanding sign with a height of seventeen feet (17'). The petitioner intends on placing the sign at the northwest corner of the site. A previous freestanding sign was located at this corner prior to 1991. The subject property is currently improved with a gas station, convenience center, and restaurant/donut shop. The name of the business and fuel rate signs are currently displayed on the canopy. Due to the constraints of the area for a freestanding sign and the intensity of pedestrian traffic, staff found that a monument sign could impact the safety of the intersection. A sign supported by a narrow or pole style base would provide higher visibility of pedestrians utilizing the intersection of Main Street and St. Charles Road. The proposed freestanding sign is consistent with other types of freestanding signs approved for gas stations in the Village such as Mobil at Main Street and Madison Street and BP at Finley Road and 22nd Street. Staff is supportive of this request.

Acting Chairperson Flint asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Olbrysh asked what type of construction is occurring at the site now. Mr. Bingham said the fuel islands and dispensers are being replaced. The site is being spruced up and will tie into the downtown.

On a motion by Commissioner Burke, and a second by Commissioner Mrofcza, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 17-22, subject to the following seven (7) conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request from Ahern Signs dated 5/11/17 and Red Rooster Flow dated 5/1/17;
2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the sign is not installed by said date, this relief shall be deemed null and void;
4. The freestanding sign must be completely enclosed within the airspace of the petitioner's property and shall not project into the public owned right of way;
5. The petitioner shall install and maintain a landscaping area surrounding the freestanding sign in accordance with the Downtown Landscape Enhancement Recommendations;
6. All lighting must conform to the Village's photometric standards; and

7. The existing freestanding sign located in the northeast corner of the subject property shall be removed.

Respectfully,

**VILLAGE OF LOMBARD**

Steve Flint, Acting Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

June 19, 2017

**Title**

PC 17-22

**Petitioner**

St. Sebastian Oil Group  
1 E. St. Charles Road  
Lombard, IL 60148

**Property Owner**

Michael Scardino  
25W579 W. Army Trail Rd.  
Hanover Park, IL 60133

**Property Location**

1 E. St. Charles Road  
(Trustee District #4)

**Zoning**

B5, Central Business District

**Existing Land Use**

Gas station

**Comprehensive Plan**

Community Commercial

**Approval Sought**

Freestanding sign height  
variance

**Prepared By**

Tami Urish  
Planner I



Location Map

**PROJECT DESCRIPTION**

The petitioner is requesting approval for a freestanding sign with a height of seventeen feet (17'). The petitioner intends on placing the sign at the northwest corner of the site (corner of Main Street and St. Charles Road). A previous freestanding sign was located at this corner prior to 1991.

**APPROVAL(S) REQUIRED**

The petitioner, St. Sebastian Oil Group, requests that the Village grant a variance from Section 153.506(A)(6)(c) to allow for a freestanding sign of seventeen feet (17') in height, where six feet (6') is allowed on the subject property located within the B5 Central Business District.

**EXISTING CONDITIONS**

The subject property is currently improved with a gas station, convenience center, and restaurant/donut shop. Ingress/egress points are located along both South Main Street and East St. Charles Road. The name of the business and fuel rate signs are currently displayed on the canopy of the gas station.

## PROJECT STATS

### Lot & Bulk

Parcel Size:	0.33 acres
	14,563 sq ft
Building Area:	1,927 sq ft
Sign Setback Requirement:	None

### Submittals

1. Petition for Public Hearing;
2. Response to Standards;
3. Plat of Survey, dated 10/8/2003, Exhibit A
4. Proposed Sign Plan, prepared by Ahern Signs, dated 5/11/17, Exhibit B;
5. Proposed Sign Detail by Big Red Rooster Flow Process Management Company dated 5/1/17, Exhibit C.

Attachments prepared by Village staff:

Exhibit D - Site Plan

Exhibit E - Landscape Plan

## INTER-DEPARTMENTAL REVIEW

### Building Division:

The Building Division has no comments. Additional comments may be forthcoming during the permit review.

### Fire Department:

The Fire Department has no issues or concerns.

### Private Engineering Services (PES):

PES has no comments.

### Public Works:

The Department of Public Works has no comment on the subject petition.

### Planning Services Division:

#### 1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	B5	commercial
South	B5	Union Pacific Railroad
East	B5	commuter parking lot
West	B5	commercial

The B5 District constitutes the "downtown" core area of the Village and is intended to accommodate all retail, service and specialty shops which a gas station does. This property was a gas station and convenience store previously, but recently the owner/operator has changed.

#### 2. Comprehensive Plan Compatibility

A gas station and convenience store are consistent with the Central Business District requirements.

#### 3. Zoning & Sign Ordinance Compatibility

The petitioner proposes to install a new freestanding sign. A variance is needed for the height of the sign only. The total surface area of the freestanding sign will meet the Sign Ordinance square footage requirements and will not exceed twenty square feet in overall sign area. The fuel sign automatic changeable copy component will comprise two square feet of the overall sign. Due to the constraints of the area for a freestanding sign and the intensity of pedestrian traffic, staff found that a monument sign could impact the safety of the intersection. A sign supported by a narrow or pole style base would provide higher visibility of pedestrians utilizing the intersection of Main Street and St. Charles Road. A twelve foot

(12') high sight clearance is required under the sign therefore a vertically oriented sign of twenty square feet yields a height of seventeen feet (17').

Currently there is a freestanding sign on the site (see photo below). This sign would need to be removed if the proposed sign is approved. According to Section 153.506 (B) (6) (d) *Number: No more than one freestanding sign shall be maintained on any one parcel of property.* Current conditions maintain the fuel rate signs on the canopy of the fuel pumps. These fuel rate signs are proposed to be removed. Fuel rate signs of two square feet are proposed on the requested freestanding sign. The proposed canopy will therefore have the BP Helios signs only.

The corner of the gas station property is a very prominent location in the downtown. According to Section 153.506 (B)(6)(f) of the Sign Code, *Curbing: Any freestanding sign within three feet of a driveway, parking area, or maneuvering area shall be completely surrounded by a curbing that is not less than three feet from the outermost perimeter of the sign, and this area will be landscaped as approved by the Director.* A design recommendation for the site (area 9, please see Exhibit D) was prepared in 2009 in a report, Downtown Landscape Enhancement Recommendations.

Moreover, the proposed freestanding sign is consistent with other types of freestanding signs approved for gas stations in the Village (Mobil at Main Street and Madison Street; BP at Finley Road and 22nd Street). Therefore staff is supportive of this request. Additional comments may be forthcoming during the permit review.

## **HISTORY**

**Permit 13301** dated approximately 1964 and **permit 21318** dated approximately 1972 both refer to a sign but provide no further details.

**Permit 34478** dated July 26, 1984 was for a face change only to the existing freestanding sign. The original sign may have been installed in 1972 or 1964.

**Agreement** dated January 26, 1987 between the Village of Lombard and Mr. Bartel completing the transfer of real estate as agreed in DuPage County Case No. 86ED8. The Village agreed to move the "Price Sign" from the northwest corner of the property being transferred to the northeast corner of the contiguous property (pictured to the right) in addition to moving lights, maintaining the drive widths.

**Agreement** dated November 11, 1990 between the Village of Lombard and Mr. Bartel amended the above agreement. The property owner, Mr. Bartel, entered into an agreement with the Village relative to the acquisition of additional right of way by the Village. Section 9 of the agreement noted that "Bartel and Suburban (West Suburban Bank Land Trust No. 3370) agree to permanently eliminate all free standing signs from the Property". In consideration of the acquisition and the removal of the free-standing sign, the



Northeast corner of subject property



Village committed to capital improvements (new streetlights and new curb cuts) and released funds in an escrow account.

#### **ZBA 90-16**

The petitioner, Bartel's Auto Depot, requested a sign variation to allow a thirty two square foot gasoline rate sign on the existing canopy to exceed the maximum size permitted of eighteen square feet. The petition was a result of the above agreement between the Village of Lombard and the property owner. The property owner agreed to allow the removal of all free-standing signs and to install the above described rate sign.

*Ordinance 3352* granted approval of the variation to allow a thirty four square foot service station rate sign on the canopy with the condition of there shall be no freestanding signs on the subject property.

#### **ZBA 03-06**

The petitioner, Ahern Signs, requested approval of the following actions on the subject property:

1. A variation in maximum freestanding sign area from twenty (20) square feet to fifty (50) square feet.
2. A variation in maximum freestanding sign height from six (6) feet to eighteen (18) feet.
3. A variation from Section 153.506 (15) (c) of the Lombard Sign Ordinance to allow for more than one wall sign per street frontage exposure to be maintained on any one parcel of property.

*Ordinance 5292* granted approval of item #3 only.

#### **FINDINGS & RECOMMENDATIONS**

Staff finds that the proposed sign is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, Zoning Ordinance, and Sign Ordinance.

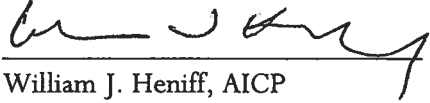
The Inter-Departmental Review Committee has reviewed the standards for the requested variance and finds that it **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Department Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 17-22.

Based on the submitted petition and the testimony presented, the proposed request for a variance does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting said request is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 17-22, subject to the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request from Ahern Signs dated 5/11/17 and Red Rooster Flow dated 5/1/17;
2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the sign is not installed by said date, this relief shall be deemed null and void;
4. The freestanding sign must be completely enclosed within the airspace of the petitioner's property and shall not project into the public owned right of way;

5. The petitioner shall install and maintain a landscaping area surrounding the freestanding sign in accordance with the Downtown Landscape Enhancement Recommendations;
6. All lighting must conform to the Village's photometric standards; and
7. The existing freestanding sign located in the northeast corner of the subject property shall be removed.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development  
c. Petitioner

## **Response to Standards for a Variation – Prepared by the Petitioner**

- 1) Due to the over pass to the south, visibility of location is obstructed to northbound traffic. Having a price sign on the corner of the lot would catch driver's eyes sooner and alert them of the location. On top of that, having the sign where it currently stands, higher and further off the street, may be harder for customers to find, leading to the potential for more accidents.
- 2) Gas stations are very unique when it comes to small businesses. They are the only form of business that posts their prices on a sign for everyone to see. Not to mention, a one cent difference in price can drive consumers from one location to another. Having said that, a price sign is much more of a need compared to, say a bank. There is also a unique agreement on this lot that was placed in 1987, long before price signs were prevalent in the gasoline industry.
- 3) Not only will this price sign help generate business, but it will also help to provide a much needed face lift to the corner of St Charles & Main. This has been an eye sore for quite some time. Adding a nice facelift, eye catching price sign and some landscaping to the base will tie this into the downtown area better than ever.
- 4) There is nothing anyone with any current affiliation to this property has done to create this hardship. This is due to the sign code.
- 5) Our request for this variation comes along with another height variance request as well. We are doing this to ensure that our price sign is high enough not obstruct the view of either drivers, or pedestrians. We stand alone on this corner so it will not block or harm any of the surrounding businesses.
- 6) The granting of this variation will actually improve the character of this neighborhood in my opinion. We are taking a run-down gas station and will conduct a "facelift" of the site. Thus improving this corner and tying it into the overall motif of the downtown area.
- 7) This variance will only effect this lot. The proposed sign will be built on property, and will have no ill effect on surrounding business, traffic, drainage, fire safety, public safety or negatively affect property values.



# EXHIBIT B – Proposed Sign Plan



**Dr. F. Albert Mann**  
SIGN COMPANY

1257 Harding Ave. Chicago, IL  
60773-2540 (773) 254-1100  
www.signcompany.com

**PROJECT:**

1 E ST CHARLES LOMBARD  
SIGN OPTION FOR SITE

**CUSTOMER APPROVAL:**

DATE 4.25.2017

AUTHORIZED SIGNATURE

REPRESENTATIVE

DRAWN BY

DATE

SCALE

SHEET NO. 1 of 1

WORK ORDER

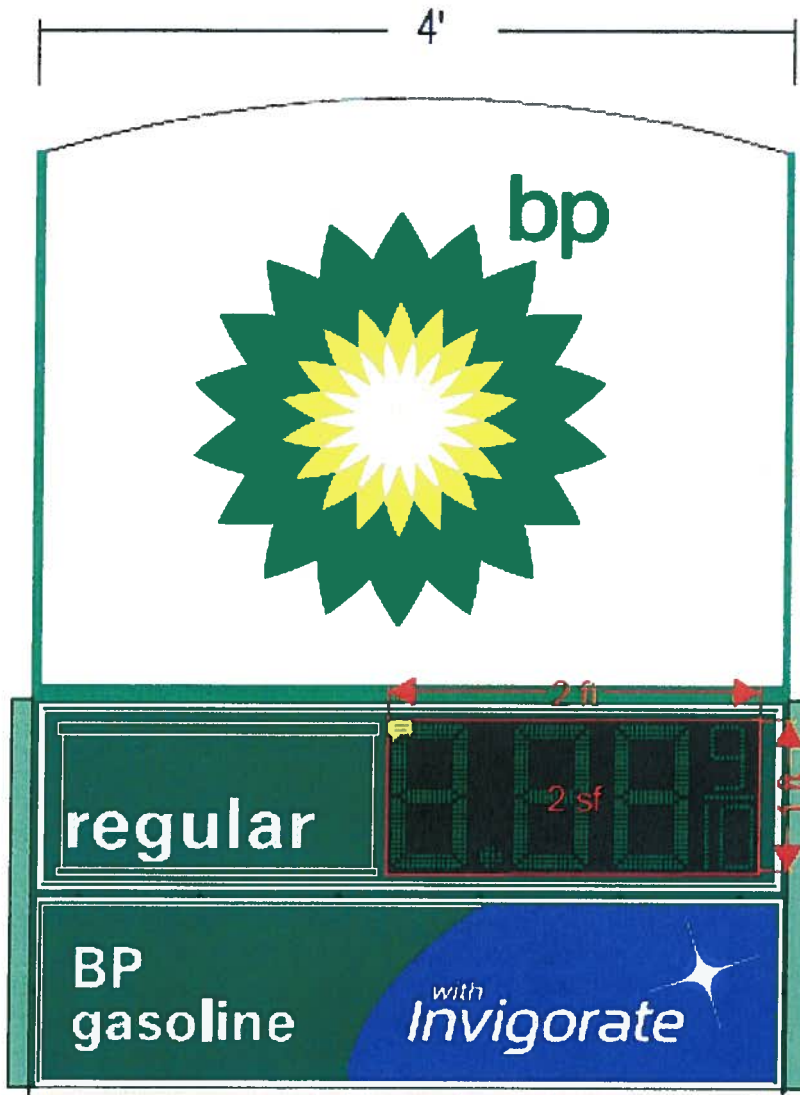
TITLE NAME


**REVISIONS:**

- 1
- 2
- 1
- 4
- 1
- 6
- 2
- 8

This sign is intended to be installed in accordance with the requirements of Article 12-10 of the National Fire Protection Code and/or other applicable codes. This includes proper grounding and bonding of the sign.

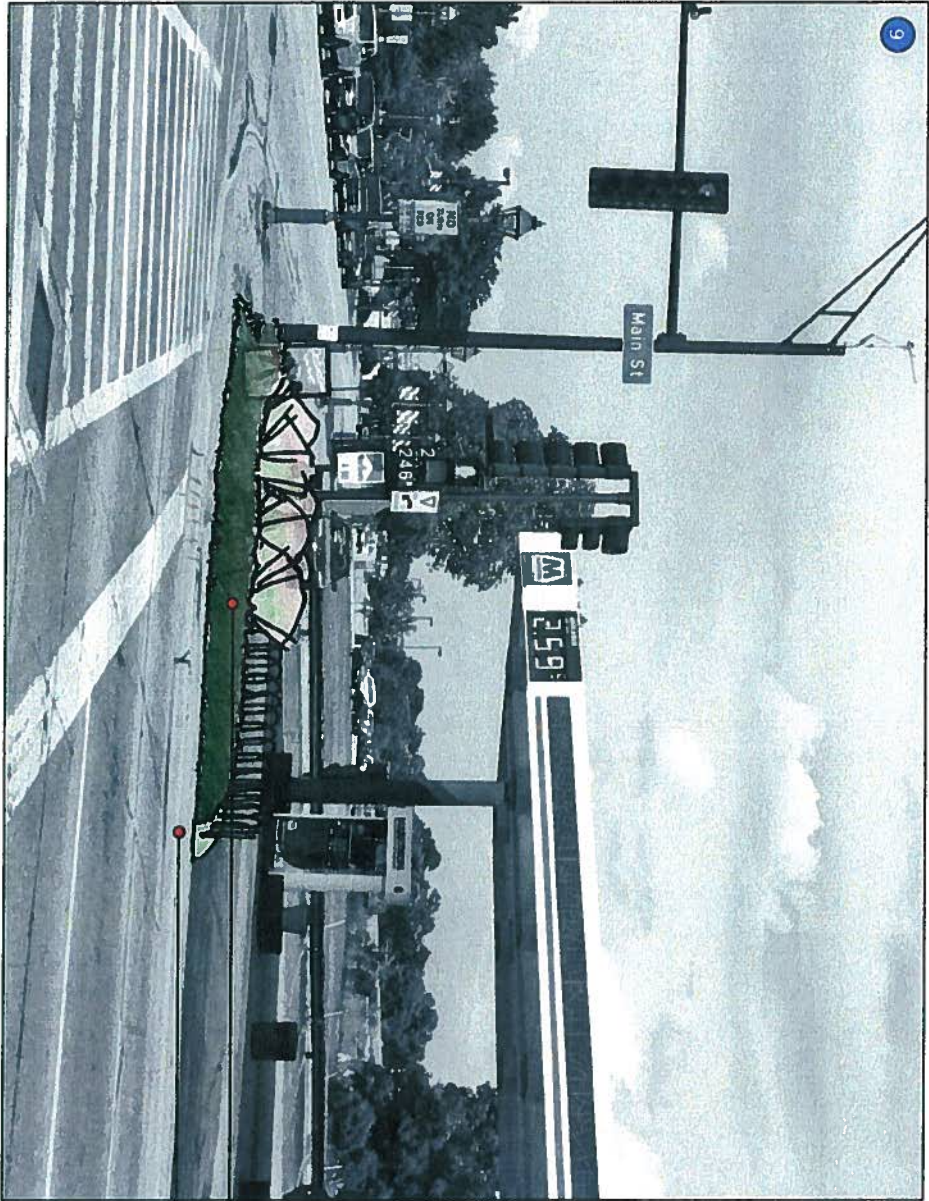
# EXHIBIT C – Proposed Sign Detail



 <b>BIG RED ROOSTER FLOW</b> <small>Trademark Flow, Inc. 710 American A. 02010          T 603.232.0200   F 603.232.0206   W www.bpr.com</small>	
Project Name	Proposed MID Rendering
Sheet #	1640315
Date	5/01/17
Customer	BP
Description	
Notes	
Drawn by	L. Abramov
Number of Sets	ORIGINAL
Scale	NA
Sheet	2 OF 2
<small>This document contains trade secrets and confidential business information. Items are to be used solely for the purposes of the project and are the property of Big Red Rooster Flow, Inc. All rights reserved including patent, trademark and copyright.</small>	



# EXHIBIT E – Downtown Landscape Enhancement Recommendations, by Hitchcock Design Group, September 2009



Village of Lombard

Marathon Gas Station

Lombard, Illinois

## Landscape Enhancements

- Overlook  Private
- Public  Shade  Sun  Shade Tree  Ornamental Tree  Shrub  Perennials  Groundcover
- Plant Material (see page 57 for list of recommended plants)
- Sun  Shade  Seasonal  Evergreen  Native  Shade Tree  Ornamental Tree  Shrub  Perennials  Groundcover
- C&G
- \$7,700 - \$8,700

### Project Objectives

- Water plants until established; continue to monitor and water as needed
- Protect landscape from pedestrian traffic
- Maintain plants at appropriate heights within sight triangles
- Coordinate landscape enhancements on private property with owner
- Encourage property owners to maintain landscape on private property



### Existing conditions

- Plant shrubs, perennials, and groundcover similar to Volunteer Plaza to create a strong gateway
- Remove pavement and install raised planter curb with ornamental fence at corner



## Urish, Tami

---

**From:** Bill Sheehan <bsheehan@ahernsigns.com>  
**Sent:** Tuesday, June 20, 2017 11:42 AM  
**To:** Urish, Tami  
**Subject:** FW: Plan commission meeting case PC 17-22  
**Attachments:** SKM\_C224e17062006340.pdf

Sorry I forgot to attach this letter

---

**From:** Bill Sheehan [<mailto:bsheehan@ahernsigns.com>]  
**Sent:** Tuesday, June 20, 2017 7:01 AM  
**To:** [urisht@villageoflombard.org](mailto:urisht@villageoflombard.org)  
**Cc:** [csheehan@ahernsigns.com](mailto:csheehan@ahernsigns.com); 'Tim Bingham'  
**Subject:** Plan commission meeting case PC 17-22

Tami,

We attended the meeting last night and our variance request for the sign at 1 E. St. Charles Rd was approved by the plan commission. At this time we request a waiver of the first reading so we can get this project off the ground and moving in the right direction. We wish to order the material for this location so we can get it started as soon as possible.

Respectfully Submitted  
William R. Sheehan  
Sr. Project Manager  
Ahern Sign Co.  
773-254-0717

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING A VARIANCE FOR A  
FREESTANDING SIGN PURSUANT TO TITLE 15, CHAPTER  
153, SECTION 153.506 (A)(6)(c) OF THE LOMBARD ZONING  
ORDINANCE**

PC 17-22; 1 E. St. Charles Road

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned B5 Central Business District; and,

WHEREAS, an application has been filed requesting a variance from Section 153.506 (A)(6)(c) of the Lombard Sign Ordinance to allow for a freestanding sign of seventeen feet (17') in height, where six feet (6') is required within the B5 Central Business District.; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on June 19, 2017 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation with the President and Board of Trustees recommending approval of the variation described here in, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That a variance is hereby granted for the Subject Property legally described in Section 2 below, pursuant to Title 15, Chapter 153, Section

153.506(A)(6)(c) of the Sign Ordinance to allow for a freestanding sign of seventeen feet (17') in height, where six feet (6') is the maximum allowed within the B5 Central Business District and subject to the conditions set forth in Section 3.

SECTION 2: That this Ordinance is limited and restricted to the property located at 1 E. St. Charles Road, Lombard, Illinois and legally described as follows:

LOT THIRTEEN (13) IN BLOCK SEVENTEEN (17) OF THE ORIGINAL PLAT OF THE TOWN, NOW VILLAGE, OF LOMBARD, BEING THAT PART OF THE NORTHWEST QUARTER (NW ¼) OF SECTION EIGHT (8) IN TOWNSHIP THIRTY-NINE (39) NORTH, RANGE ELEVEN (11), EAST OF THE THIRD PRINCIPAL MERIDIAN (3RD P.M.), DESCRIBED BY COMMENCING AT AN IRON BOLT IN THE WEST LINE OF THE SECTION IN THE CENTER OF LAKE STREET (FORMERLY ST. CHARLES AND CHICAGO STATE ROAD) WHICH POINT IS ELEVEN AND TWENTY-THREE HUNDREDTHS (11.23) CHAINS SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 8 AND RUN THENCE SOUTH THREE-QUARTERS OF A DEGREE WEST (S ¾ DEGREES W) TWO AND SEVENTY-TWO HUNDREDTH (2.72) CHAINS TO THE NORTH LINE OF RAILROAD RIGHT OF WAY, THENCE NORTH EIGHTY-EIGHT AND THREE-QUARTERS DEGREES EAST (N 88-¾ DEGREES E) ALONG RAILROAD RIGHT OF WAY TWO AND FORTY-THREE HUNDREDTHS (2.43) CHAINS, THENCE NORTH TWENTY-TWO AND ONE-HALF DEGREES WEST (N22-½ DEGREES W) TWO AND FORTY-FIVE HUNDREDTHS (2.45) CHAINS TO THE CENTER OF ROAD, THENCE SOUTH SEVENTY DEGREES WEST (S 70 DEGREES W) ONE AND FORTY-SEVEN HUNDREDS (1.47) CHAINS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PART THEREOF CONVEYED BY WEST SUBURBAN BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 2, 1984 AND KNOWN AS TRUST NUMBER 3370 TO VILLAGE OF LOMBARD BY INSTRUMENT RECORDED JANUARY 28, 1987 AS DOCUMENT R1987-013238 FOR ROADWAY PURPOSES.

EXCEPTING, HOWEVER, THEREFROM ALL THAT PART OF THEREOF CONVEYED BY THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY TO THE VILLAGE OF LOMBARD BY DEED DATED DECEMBER 19, 1922 AND THEREIN DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH LINE OF LAKE STREET TWENTY-TWO AND TWENTY-FOUR HUNDREDTHS FEET (22.24 FEET)

WESTERLY FROM ITS INTERSECTION WITH THE EAST LINE OF MAIN STREET EXTENDED SOUTH FROM THE NORTH; THENCE SOUTHERLY ONE HUNDRED TWENTY-SEVEN AND TWO-TENTHS FEET (127.2 FEET) TO A POINT WHICH IS TWENTY-TWO AND FIFTY-FIVE HUNDREDTHS FEET (22.55) WEST AT RIGHT ANGLES FROM SAID EXTENDED EAST LINE OF MAIN STREET; THENCE SOUTHWESTERLY TWENTY-FIVE AND FIVE TENTHS FEET (25.5 FEET) TO A POINT WHICH IS FIFTY FEET (50 FEET) NORTHERLY AT RIGHT ANGLES FROM THE CENTER LINE BETWEEN THE TWO MAIN TRACKS OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, AS SAID TRACKS ARE NOW LOCATED AND CONSTRUCTED AND TWENTY EIGHT AND SIX-TENTHS (28.6 FEET) WESTERLY AT RIGHT ANGLES FROM SAID EXTENDED EAST LINE OF MAIN STREET; THENCE WESTERLY ON A LINE PARALLEL WITH AND FIFTY FEET (50 FEET) DISTANT FROM SAID CENTER LINE BETWEEN SAID MAIN TRACKS ELEVEN FEET (11 FEET) MORE OR LESS TO THE WEST LINE OF SAID SECTION EIGHT (8) THENCE NORTH ON SAID SECTION LINE TO THE SOUTH LINE OF LAKE STREET; THENCE EASTERLY TO THE PLACE OF BEGINNING.

EXCEPTING, HOWEVER, ALSO FROM THE ABOVE DESCRIBED PREMISES A STRIP OF LAND TEN FEET (10 FEET) WIDE NORTH OF AND ADJOINING THE SOUTHERLY BOUNDARY LINE OF SAID DESCRIBED PREMISES, MEASURED AT RIGHT ANGLES THERETO.

PARCEL 2:  
THE WEST 28 FEET OF LOT 12 IN BLOCK 17 IN THE TOWN OF LOMBARD, BEING A SUBDIVISION OF SECTIONS 5, 6, 7, 8 AND 18 TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1868 AS DOCUMENT NUMBER 9433, IN DUPAGE COUNTY, ILLINOIS.  
CONTAINING TOTAL AREA: 14,830.39 sq. ft. (0.34 acres)

Parcel Number: 06-08-108-010; (the "Subject Property").

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request from Ahern Signs dated 5/11/17 and Red Rooster Flow dated 5/1/17;

2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the sign is not installed by said date, this relief shall be deemed null and void;
4. The freestanding sign must be completely enclosed within the airspace of the petitioner's property and shall not project into the public owned right of way;
5. The petitioner shall install and maintain a landscaping area surrounding the freestanding sign in accordance with the Downtown Landscape Enhancement Recommendations;
6. All lighting must conform to the Village's photometric standards; and
7. The existing freestanding sign located in the northeast corner of the subject property shall be removed.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Ordinance No. \_\_\_\_\_  
Re: PC 17-22  
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\_\_\_\_\_  
Keith Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk